

Quick Guide to Title 15, Part 30, Foreign Trade Regulations

Contact Information

For international trade assistance, contact us at 1-800-549-0595.

Automated Export System, Option 1

emd.askaes@census.gov

Classification Assistance, Option 2

eid.scheduleb@census.gov

Foreign Trade Regulations, Option 3

emd.askregs@census.gov

International Trade Data, Option 4

eid.international.trade.data@census.gov

Trade Outreach, Option 5

ewd.outreach@census.gov

References

Schedule B – Statistical Classification of Domestic and Foreign Commodities Exported from the United States

Schedule C – Country Code and Descriptions

Schedule D – U.S. Customs Districts/Ports, Codes and Descriptions

Schedule K – Classification of Foreign Ports by Geographic Trade Area and Country

Export Administration Regulations (EAR) – The Bureau of Industry and Security Regulations

International Traffic in Arms Regulations (ITAR) – The Department of State Regulations

Automated Export System

The system for collecting EEI (or any successor to the Shipper's Export Declaration) from persons exporting goods from the United States, Puerto Rico, or the U.S. Virgin Islands; between Puerto Rico and the United States; and to the U.S. Virgin Islands from the United States or Puerto Rico. The AES is currently accessed through the Automated Commercial Environment.

Q: Who can file in the AES?

A: A U.S. Principal Party in Interest (USPPI), the USPPI's authorized agent, or the authorized agent of the Foreign Principal Party in Interest (§30.3(a)).

Electronic Export Information (§30.1)

Electronic Export Information (EEI) is the export data filed in the Automated Export System (AES). This is the electronic equivalent of the export information formerly filed on the Shipper's Export Declaration.

When completing the EEI, the filer is responsible for submitting complete and accurate information as known at the time of export. However, if any of the data needs to be corrected, the filer is responsible for making the necessary changes in the AES as soon as they are known (§30.9).

The EEI has a dual use. The information collected by the Census Bureau is used for statistical purposes while the Bureau of Industry and Security and other export enforcement agencies use it for export control and enforcement purposes (§30.60).

Confidentiality (§30.60)

The Electronic Export Information (EEI) contained in the Automated Export System (AES) is confidential and is to be used solely for official purposes as authorized by the Secretary of Commerce. The collection of EEI by the Department of Commerce has been approved by the Office of Management and Budget.

The Census Bureau may supply the EEI to the U.S. Principal Party in Interest (USPPI) or authorized agent for compliance and audit purposes. Such disclosure shall be limited to the information provided in the AES by the USPPI or the authorized agent.

The EEI shall not be disclosed by the USPPI, the authorized agent, or representative of the USPPI for nonofficial purposes.

EEI Reporting Requirements (§30.2(a))

Shipped From	To
United States	Canada (as noted in
United States	Foreign Countries
United States	Puerto Rico
United States	U.S. Virgin Islands
Puerto Rico	United States
Puerto Rico	Foreign Countries
Puerto Rico	U.S. Virgin Islands
U.S. Virgin Islands	Foreign Countries
U.S. Foreign Trade Zones	Foreign Countries
U.S. Foreign Trade Zones	Puerto Rico

EEI Not Required (§30.2(d)(2))

Shipped From	To
United States	Canada (as noted in §30.36)
U.S. Virgin Islands	United States
U.S. Virgin Islands	Puerto Rico
United States/Puerto Rico/Virgin Islands	Other U.S. Territories**
Other U.S. Territories**	United States
Other U.S. Territories**	Foreign Countries
Other U.S. Territories**	Other U.S. Territories**

** American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and the Wake Island.

Shipment (§30.1)

All goods being sent from one U.S. Principal Party in Interest to one consignee located in a single country of destination, on a single conveyance and on the same day. Except as noted in §30.2(a)(1)(iv), the Electronic Export Information (EEI) shall be filed when the value of the goods is over \$2,500 per Schedule B number or HTSUSA commodity classification code.

A single conveyance is an individual vessel, plane, truck, or rail, not a steamship line or airline.

Split Shipment (§30.1)

A shipment covered by a single EEI transmission booked for export on one conveyance, that is divided by the exporting carrier prior to export where the cargo is sent on two or more of the same conveyances of the same carrier leaving from the same port of export within 24 hours by vessel or 7 days by air, truck or rail.

For the succeeding parts of the shipment that are exported within the time frames specified above, a new EEI record will not be required. However, for the succeeding parts of the shipment that are not exported within the time frames specified above, a new EEI record must be filed and amendments must be made to the original EEI record. If a new EEI record is required, the original ITN data element may be used.

Original Internal Transaction Number (ITN) Field (§30.6(c)(3))

The original ITN field is an optional data element that can be used when a previously filed shipment is replaced or divided and for which additional shipment(s) must be filed. The original ITN field can be used in certain scenarios, such as, but not limited to, shipments sold en route or cargo split by the carrier where the succeeding parts of the shipment are not exported within the timeframes specified in §30.28.

Using this data element will make it possible for U.S. Customs and Border Protection (CBP) to identify that a shipment being flagged as late was previously filed. The original ITN field will ultimately help both the trade community and enforcement agencies to identify shipments that are connected to a previously filed shipment.

U.S. Principal Party in Interest (§30.1)

The U.S. Principal Party in Interest (USPPI) is the person or legal entity in the United States that receives the primary benefit, monetary or otherwise, from the export transaction. Generally, the USPPI is the U.S. seller, manufacturer, order party, or foreign entity while in the United States when purchasing or obtaining the goods for export. However, if a customs broker or foreign person is listed as the importer of record when entering goods into the United States for immediate consumption or warehousing entry, the customs broker may be listed as the USPPI if the goods are subsequently exported without change or enhancement.

Foreign Principal Party in Interest (§30.1)

The Foreign Principal Party in Interest (FPPI) is the party abroad who purchases the goods for export or to whom final delivery or end-use of the goods will be made. This party may be the Ultimate Consignee.

In a routed export transaction, the FPPI is responsible for facilitating the movement of the cargo and authorizing a U.S. Agent or the U.S. Principal Party in Interest to file the Electronic Export Information in the Automated Export System (§30.3(e)).

Ultimate Consignee (§30.1)

The ultimate consignee is the person, party, or designee that is located abroad and actually receives the export shipment. This party may be the end user or the Foreign Principal Party in Interest.

Q: Who is the ultimate consignee in the following scenario? A Mexican party orders tires valued at \$6,000 from Company A located in United States. The Mexican party sells those tires to an Australian company. The Mexican company instructs Company A to ship the goods directly to the Australian company.

A: The Australian company.

Authorized Agent (§30.1)

An authorized agent is an individual or legal entity physically located in or otherwise under the jurisdiction of the United States that has obtained power of attorney or written authorization from a U.S. Principal Party in Interest or Foreign Principal Party in Interest to act on its behalf to complete and file the Electronic Export Information (EEI).

Q: Which party shall be listed in the EEI record in the following example?

A U.S. company sells goods to a company located in France. This U.S. company hires an authorized agent to file the EEI record for the shipment and a freight forwarder to move the cargo out of the country.

A: The authorized agent who filed the EEI record shall be listed in the Freight Forwarder section.

Export Transaction (§30.3)

A standard export transaction is a transaction in which the U.S. Principal Party in Interest (USPPI) receives payment from a foreign buyer and files or authorizes an authorized agent to prepare and file the Electronic Export Information. If the USPPI authorizes an agent to file on its behalf, the USPPI must provide the authorized agent with written authorization or a power of attorney, as well as determine if a license is required.

Responsibilities in an Export Transaction (§30.3(c))

U.S. Principal Party in Interest (USPPI) Responsibilities:

- Prepare and file Electronic Export Information (EEI) itself, or
- Authorize a U.S. agent to prepare and file the EEI on its behalf.
 - Provide the authorized agent with accurate and timely export information,
 - Provide a power of attorney or written authorization to the authorized agent.
- Make a license determination.
- Retain documentation for five years.

Authorized Agent Responsibilities:

- Obtain a power of attorney or written authorization from the USPPI.
- Accurately prepare and file the EEI.
- Retain documentation for five years.
- Upon request, provide the USPPI with export information that it provided as submitted through the Automated Export System.

Carrier Responsibilities (§30.3(c)(3))

- Must not load or move cargo unless the required documentation, from the U.S. Principal Party in Interest (USPPI) or authorized agent, contains the required Automated Export System (AES) proof of filing, postdeparture, downtime citation, exemption, or exclusion citations.
- Annotate the required AES proof of filing, postdeparture, downtime citation, exemption, or exclusion citations on the carrier's outbound manifest when required.
- Present the required AES proof of filing, postdeparture, downtime citation, exemption, or exclusion citations to the U.S. Customs and Border Protection (CBP) Director at the port of export.
- Notify the USPPI or the authorized agent of changes to the transportation data.
- Amend manifest, as needed, in accordance with CBP regulations.
- Retain documentation for five years.

Routed Export Transaction (§30.3(e))

A routed export transaction is a transaction in which the Foreign Principal Party in Interest (FPPI) authorizes a U.S. agent to facilitate the export of items from the United States and to prepare and file Electronic Export Information (EEI). While the FPPI will select the authorized agent to facilitate the export, it may give authorization to the USPPI to file the EEI. In a routed export transaction, the parties to the transaction remain the same; however, the responsibilities of those parties differ.

Responsibilities in a Routed Export Transaction (§30.3(e))

U.S. Principal Party in Interest (USPPI) Responsibilities:

- File the Electronic Export Information (EEI) on behalf of the Foreign Principal Party in Interest (FPPI), if the FPPI provided a power of attorney (POA) or written authorization.
- Otherwise, provide authorized agent of the FPPI with specific export and licensing information.
- Make a license determination or obtain a writing from the FPPI (See EAR 758.3).
- Retain documentation for five years.
- Upon request, the USPPI can receive a copy of the required export information that was submitted to the authorized agent to file.
- Upon request, the USPPI can receive a copy of the power of attorney or written authorization provided to the authorized agent by the FPPI.

Authorized Agent Responsibilities:

- Obtain a power of attorney or written authorization from the FPPI.
- Prepare and file the EEI record.
- Retain documentation for five years.
- Upon request, provide the USPPI with a copy of the POA or written authorization provided by the FPPI.
- Upon request, provide the USPPI with a copy of the data elements provided by the USPPI, the date of export as submitted through the AES, the filer name, and the ITN.

Required Data Elements to be Provided in a Routed Export Transaction

Below are the data elements that the U.S. Principal Party in Interest (USPPI) is required to provide if an authorized agent is filing the EEI on behalf of the Foreign Principal Party in Interest.

- Name and address of the USPPI.
- USPPI's Employer Identification Number.
- State of Origin.
- Foreign Trade Zone (FTZ) identifier if applicable.
- Commercial description of commodities.
- Origin of goods indicator: Domestic (D) or Foreign (F).
- Schedule B or HTSUSA, Commodity Classification Code.
- Quantity/Unit of Measure.
- Value.
- Export Control Classification Number (ECCN) or sufficient technical information to determine the ECCN.
- If applicable, all licensing information necessary to file the Electronic Export Information.

Power of Attorney and Written Authorization (Appendix A)

An authorization, in writing, from a U.S. Principal Party in Interest or Foreign Principal Party in Interest stating that an agent has authority to act as the principal party's true and lawful agent for purposes of preparing and filing the Electronic Export Information (EEI) in accordance with the laws and regulations of the United States (§30.1).

Note: A Power of Attorney (POA) issued for authorization to move cargo only, is not the same as authorization to file the EEI, UNLESS specifically stated in said POA.

Value

The value is the selling price (or the cost if the goods are not sold) in U.S. dollars, plus inland or domestic freight, insurance, and other charges to the U.S. seaport, airport, or land border port of export. Cost of goods is the sum of expenses incurred in the USPPI's acquisition or production of the goods (§30.6(a)(17)).

The **license value** is the value designated on the export license that corresponds to the commodity being exported (§30.6(b)(15)).

Repairs (§30.29(a))

Goods not licensed by a U.S. Government agency and not subject to the ITAR - The return of goods not licensed by a U.S. Government agency and not subject to the ITAR, temporarily imported for repair and alteration, and declared as such on importation shall have Schedule B number 9801.10.0000. The value shall only include parts and labor. The value of the original product shall not be included. If the value of the parts and labor is over \$2,500, then EEI must be filed.

Goods licensed by a U.S. Government agency or subject to the ITAR - The return of goods licensed by a U.S. Government agency or subject to the ITAR, temporarily imported for repair or alteration, and declared as such on importation shall have Schedule B number 9801.10.0000. In the value field, report the value of the parts and labor. For goods licensed by a U.S. Government agency, in the license value field, report the value designated on the export license that corresponds to the commodity being exported. EEI must be filed regardless of value.

For goods that are reexported after repair under warranty, it is recommended that the bill of lading, air waybill, or other loading documents include the statement, **“This product was repaired under warranty.”**

Replacements Under Warranty (§30.29(b))

Goods not licensed by a U.S. Government agency – when reporting a replacement, report the value of the replacement parts in accordance with §30.6(a)(17).

Goods licensed by a U.S. Government agency – when reporting a replacement, report the value of the replacement parts in accordance with §30.6(a)(17) and the license value in accordance with §30.6(b)(15).

Goods that are replaced under warranty at no charge to the customer shall include the statement, “Product replaced under warranty, value for EEI purposes” on the bill of lading, air waybill, or other commercial loading documents.

Canada Exemptions (§30.36)

In general, shipments to Canada are exempt from filing in the Automated Export System.

However, the Electronic Export Information (EEI) must be filed for the following types of shipments:

- Sent for storage in Canada, but ultimately destined for third countries.
- Moving from the U.S. through Canada to a third destination.
- Requires a Department of State, DDTC export license.
- Requires a Department of Commerce, BIS license or requires reporting under the Export Administration regulations (15 CFR 758.1(b)).
- Subject to the ITAR, but exempt from licensing requirements.
- Requires an export license issued by any other federal government agency.
- Classified as rough diamonds under the 6-digit Harmonized System subheading (7102.10, 7102.21, 7102.31).
- Used self-propelled vehicles as defined in 19 CFR 192.1 of U.S. Customs and Border Protection regulations.

Low Value Exemption (§30.37(a))

Except as noted in §30.2(a)(1)(iv), exports of commodities where the value of the commodities shipped from one U.S. Principal Party in Interest to one consignee on a single exporting conveyance, classified under an individual Schedule B number or HTSUSA commodity classification is \$2,500 or less, are exempt from filing in the Automated Export System. This exemption applies to individual Schedule B Numbers or HTSUSA commodity classification codes regardless of the total shipment value. Items of domestic or foreign origin under the same commodity classification number must be reported separately and Electronic Export Information filing is required when either is over \$2,500.

Tools of the Trade Exemption (§30.37(b))

Tools of trade are exempt from filing requirements if the item is:

- Owned by the individual U.S. Principal Party in Interest (USPPI) or exporting company;
- Accompanying the individual USPPI, employee, or representative of the exporting company;
- Necessary, appropriate and intended for personal or business use;
- Not for sale;
- Returned to the U.S. within one year from the date of export; AND
- Not shipped under a bill of lading or air waybill.

Army Post Office (APO) Exemption (§30.37(w))

Shipments destined to an Army Post Office (APO), Diplomatic Post Office or Fleet Post Office are exempt from an Electronic Export Information (EEI) filing, unless required per §30.2(a)(1)(iv).

Q: A contractor has a non-licensable shipment sent to an APO address in the United States. From the APO address, the military will ship the goods to the U.S. military overseas. Does the shipment require an EEI filing?

A: No. An EEI filing is not required because the shipment does not require an export license. However, if the goods are subject to §30.2(a)(1)(iv) then an EEI filing is required.

Q: A U.S. company is shipping equipment that is ultimately destined to a country overseas and is licensed by the State Department to an APO address in the United States. Does the shipment require an EEI filing?

A: Yes. Since, the shipment requires an export license and is being exported overseas an EEI filing is required.

Exemptions Do Not Apply (§30.2(a)(1)(iv))

- Items that require a Department of Commerce, Bureau of Industry and Security license or requiring reporting under the Export Administration Regulations (15 CFR 758.1(b)).
- Items that require a Department of State, Directorate of Defense Trade Controls export license under the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120 through 130).
- Items that are subject to the ITAR, but exempt from license requirements, except as noted by the ITAR.
- Items that require a Department of Justice, Drug Enforcement Administration export permit (21 CFR, Part 1312).
- Items that require a general or specific export license issued by the U.S. Nuclear Regulatory Commission under 10 CFR 110.
- Items that require an export license issued by any other government agency.
- Items that are classified as rough diamonds under 6-digit Harmonized System subheadings 7102.10, 7102.21, and 7102.31.
- Used self-propelled vehicles as defined in 19 CFR 192.1 of U.S. Customs and Border Protection (CBP) regulations, except as noted in CBP regulations.

Temporary Shipments

Below are the appropriate Export Information Codes (EIC) to be reported for temporary exports when an EEI filing is required:

IP = Shipments of merchandise imported under a Temporary Import Bond for further manufacturing or processing

IR = Shipments of merchandise imported under a Temporary Import Bond for repair

IS = Shipments of merchandise imported under a Temporary Import Bond for return in the same condition

TP = Temporary exports of domestic merchandise

TE = Temporary exports to be returned to the United States

TL = Merchandise leased for less than one year

CR = Goods moving under a carnet

Exclusions from Filing EEI (§30.2(d))

The following types of shipments are outside of the scope of the Foreign Trade Regulations (FTR) and are excluded from Electronic Export Information (EEI) filing:

- Goods shipped under Customs bond through the United States, Puerto Rico, or the U.S. Virgin Islands from one foreign country or area to another where such goods do not enter the consumption channels of the United States (§30.2(d)(1)).
- Except Puerto Rico and U.S. Virgin Islands, goods shipped from the U.S. territories, and goods shipped between the United States and these territories, do not require EEI filing. However, goods transiting U.S. territories to foreign destinations require EEI filing (§30.2(d)(2)).
- Electronic transmissions and intangible transfers (See Subpart B of the FTR for export control requirements for these types of transactions.) (§30.2(d)(3)).
- Goods shipped to Guantanamo Bay Naval Base in Cuba from the United States, Puerto Rico, or the U.S. Virgin Islands and from Guantanamo Bay Naval Base to the United States, Puerto Rico, or the U.S. Virgin Islands (§30.2(d)(4)).
- Goods licensed by a U.S. federal government agency where the country of ultimate destination is in the United States or goods destined to international waters where the person(s) or entity assuming control of the item(s) is a citizen or permanent resident alien of the United States or a judicial entity organized under laws of the United States or jurisdiction within the United States (§30.2(d)(5)).

Record Retention (§30.10)

All parties to the export transaction shall retain documents or records pertaining to the shipment for five years from the date of export. U.S. Customs and Border Protection, the Census Bureau, and other participating agencies may require that these documents be produced at any time within the five-year time period for inspection or copying. These records may be retained in any elected format, including electronic or hard copy.

In addition to the Census Bureau's requirements, other government agencies may have a retention requirement beyond five years. Filers must adhere to other agencies' requirements, even if they exceed the Census Bureau's requirement.

Conformity of Documents

The State Department requires the export information submitted to the Automated Export System (AES) to conform to information on the license.

There is no conformity of documentation required for other government agencies. Information on the invoice, air waybill or other loading documents are not required to conform to the information on the AES record.

Voluntary Self-Disclosure (§30.74)

A voluntary self-disclosure (VSD) is a narrative account with supporting documentation that sufficiently describes suspected violations of the Foreign Trade Regulations (FTR). A VSD reflects due diligence in detecting, and correcting potential violation(s) when required information was not reported or when incorrect information was provided in violation of the FTR.

A VSD is a mitigating factor for civil penalties, as long as the violation(s) are identified and disclosed before the Census Bureau or another Federal government agency identifies the problem. The Census Bureau recommends that full disclosures be made for violations going back at least five (5) years.

If submitting a VSD, the signed letter must be on company letterhead and should be addressed to the Chief, Governments and Trade Management Division, U.S. Census Bureau. The letter must include the following information:

- The kind of violation involved.
- Description of all data to be reported under the FTR that was either not reported or reported incorrectly.
- The complete identities and addresses of all individuals and organizations, whether foreign or domestic, involved in the activities pertaining to the violations.
- A description of any mitigating circumstances.
- Corrective measures taken.
- ITNs of the missing and/or corrected shipments.

Internal Transaction Number (§30.1)

The Internal Transaction Number (ITN) is the Automated Export System (AES) generated number assigned to a shipment confirming that the Electronic Export Information was accepted and is on file in the AES. An example of an ITN is X20171231000022.

The ITN is an AES proof of filing citation. The U.S. Principal Party in Interest or authorized agent must provide a proof of filing citation, postdeparture filing citation, AES downtime filing citation, exemption or exclusion legend to the carrier. The carrier must annotate the proof of filing citation or exemption legend on the carrier’s outbound manifest.

Postdeparture Filing and Citations (§30.1)

Postdeparture filing is the privilege granted to approved U.S. Principal Parties in Interest (USPPIs) for their Electronic Export Information to be filed up to five (5) calendar days from the date of export.

The following citations are to be used for postdeparture filing:

AES Postdeparture Citation – USPPI filing

Format: AESPOST USPPI EIN Date of Export (mm/dd/yyyy)

Example: AESPOST 12345678912 12/31/2017

AES Postdeparture Citation – Agent filing

Format: AESPOST USPPI EIN – FILER ID Date of Export (mm/dd/yyyy)

Example: AESPOST 12345678912 – 987654321 12/31/2017

Exemption Legends (§30.36-§30.40)

All exemptions from Electronic Export Information filing requirements are provided in Subpart D of the Foreign Trade Regulations.

Examples of Standard Exemption Legends:

NOEEI 30.36	Shipments to Canada
NOEEI 30.37(a)	Low value
NOEEI 30.37(b)	Tools of the trade
NOEEI 30.39	Shipments to U.S. Armed Forces

Export Information Code (§30.6(a)(18))

An Export Information Code (EIC) identifies the type of export shipment or conditions of the exported items (e.g., goods donated for relief or charity, impelled shipments, shipments under the Foreign Military Sales program, household goods, and all other shipments).

Refer to Appendix E in the Automated Export System Trade Interface Requirements for the list of EICs.

Examples of EICs include but are not limited to:

HH = Household and personal effects

FS = Foreign Military Sales

CH = Shipments of goods donated for charity
OS = All other exports

Automated Export System Responses (§30.9(b))

Acceptance – The Electronic Export Information (EEI) has been accepted; you will receive an Internal Transaction Number (ITN). Shipments receiving Compliance Alerts, Verify, Warning, or Informational messages will receive an ITN and may be exported. Shipments with fatal errors may not be exported until all errors are resolved and an ITN is received.

Fatal Error – An indication that one or more data elements reported in the transaction contained invalid or conflicting data. The export information is not accepted in the AES if a fatal error is generated. Fatal Errors must be corrected immediately. Making the required changes identified in the AES and resubmitting correctly should resolve a fatal error.

Verify Messages – An indication that one or more data values reported for the shipment fall outside the parameters normally expected for the data elements. If the shipment information is verified to be correct, there is no further action necessary. If a correction needs to be made, please correct and retransmit.

Compliance Alerts – An indication that the filing may violate U.S. export regulations, such as a late filing.

Warning Message – Incomplete ultimate consignee information may be declared for the shipment when the “To Be Sold En Route” indicator is selected. Complete ultimate consignee information must be reported as soon as it is known.

AES Downtime Filing Citation (Appendix B)

The downtime citation can only be used when the AES or AESDirect are inoperable. The citation must appear on the bill of lading, air waybill, export shipping instructions, other commercial loading documents or electronic equivalent. The downtime filing citation is not to be used when the filer’s system is down, experiencing delays or for shipments subject to the International Traffic in Arms Regulations (ITAR).

AES Downtime Citation

Format: AESDOWN FILER ID Date of Export (mm/dd/yyyy)

Example: AESDOWN 123456789 12/31/2017

Used Self-Propelled Vehicles (§30.4(b)(5))

When exporting a used self-propelled vehicle as defined in 19 CFR 192.1 of U.S. Customs and Border Protection’s (CBP) regulations, report the Vehicle Identification Number (VIN) in the Automated Export System. The USPPI or authorized agent shall file the Electronic Export Information as required by §30.6 and provide the proof of filing citation, Internal Transaction Number, to the exporting carrier at least 72 hours prior to the export. In addition, the title must be presented to CBP 72 hours prior to export.

Please contact CBP at the port of export for the proper procedures. Additional information may be found at: <http://www.cbp.gov/>

International Waters (§30.1)

International Waters are waters located outside the U.S. territorial sea, which extends 12 nautical miles measured from the baselines of the United States, and outside the territory of any foreign country, including the territorial waters thereof. Note that vessels, platforms, buoys, undersea systems, and other similar structures that are located in international waters, but are attached permanently or temporarily to a country’s continental shelf, are considered to be within the territory of that country.

Exports to international waters require an Electronic Export Information filing when the commodity is valued over \$2,500 per Schedule B number or HTSUSA commodity classification code or, regardless of value, when an export license is required. When reporting such shipments in the Automated Export System report Export

Information Code "IW." However, if a U.S. person or entity is assuming control of the item(s), then EEI filing is not required.

For shipments to international waters, the EEI should include one of the six "high seas" foreign ports listed in the Schedule K, Classification of Foreign Ports. See the following Schedule K codes below:

High Seas	99900
High Seas, North Atlantic	99910
High Seas, South Atlantic	99920
High Seas, Gulf of Mexico	99930
High Seas, North Pacific	99940
High Seas, South Pacific	99950

Embassy Shipments

Below are some examples of different scenarios for embassy shipments.

Q: A U.S. company sells goods to the Australian Embassy located in the United States. Is an Electronic Export Information (EEI) required?

A: No. It is considered a domestic sale.

Q: A U.S. company is sending office supplies to a U.S. Embassy located overseas, is an EEI filing required?

A: No. Section 30.40 of the Foreign Trade Regulations exempts certain shipments to the U.S. government agencies and employees. However, if the shipment requires a license or does not meet the criteria of §30.40, an EEI must be filed.

Q: A U.S. company sells goods to a foreign embassy in Germany. Is an EEI filing required?

A: Yes. An EEI filing is required, if the shipment is valued over \$2,500 per Schedule B number or HTSUSA commodity classification code, or if a license is required.

Schedule B (§30.1)

The Schedule B is the Statistical Classification of Domestic and Foreign Commodities Exported from the United States. These 10-digit commodity classification numbers are administered by the Census Bureau and cover everything from live animals and food products to computers and airplanes. It should also be noted that all import and export codes used by the United States are based on the Harmonized Tariff System.

Items of domestic and foreign origin under the same commodity classification number should always be reported separately (§30.37(a)).

FTR Filing Timeframes (§30.4(b))

Non-USML (United States Munitions List) Shipments (§30.4(b)(2))

Method of Transportation	Timeframe
Vessel	24 hours prior to loading
Truck	1 hour prior to truck arriving at U.S.
Air	2 hours prior to scheduled departure
Rail	2 hours prior to train arriving at U.S.
Mail	2 hours prior to export

USML (United States Munitions List) Shipments (§30.4(b)(1)) & (22 CFR 123.22(b))

Method of Transportation	Timeframe
Vessel	24 hours prior to vessel departure
Truck	8 hours prior to truck departure
Air	8 hours prior to scheduled departure
Rail	24 hours prior to train departure
Mail	Refer to 22 CFR 123.24

Note: 1.) For shipments between the United States and Puerto Rico, the Automated Export System proof of filing, postdeparture, exemption or exclusion citations must be presented to the carrier by the time the shipment arrives at the port of unloading. 2.) Shipments of used self-propelled vehicles must be filed 72 hours prior to export regardless of value or country of ultimate destination.

Appendices to the FTR

Appendix A Sample POA/Written Authorization

Appendix B AES Filing Citation, Exemption and Exclusion Legends